

### **304.9-170 Exemptions from prelicensing education or examination.**

No prelicensing education or examination shall be required of:

- (1) (a) An individual licensee who allows his or her license to lapse if the license renewal fee is paid within twelve (12) months from the due date of the license renewal fee. However, a penalty in the amount of double the unpaid renewal fee shall be imposed. The office shall issue a license with the same lines of authority as the lapsed license.
  - (b) Any applicant for license covering any line of authority to which the applicant was licensed under a similar license in Kentucky, other than a temporary license, within the twelve (12) months next preceding date of application. The applicant is not eligible for this exemption if the previous license was revoked or suspended by the executive director for reasons other than failure to maintain financial responsibility or to meet continuing education requirements as required by KRS 304.9-105 and 304.9-295.
  - (c) A licensed insurance agent operating as a viatical settlement broker pursuant to KRS 304.15-700(2)(b).
- (2) An individual who applies for an insurance producer license in Kentucky who was previously licensed for the same lines of authority in another state shall not be required to complete any prelicensing education or examination. This exemption is only available if the applicant is currently licensed in the other state or if the application is received within ninety (90) days of the cancellation of the applicant's previous license and if the prior state issues a certification that, at the time of cancellation, the applicant was in good standing in that state or the state's database records, maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries, indicate that the insurance producer is or was licensed in good standing for the line of authority requested.
- (3) An individual licensed as an insurance producer in another state within the last twelve (12) months who moves to Kentucky shall make application within ninety (90) days of establishing legal residence to become a resident licensee in accordance with KRS 304.9-105. No prelicensing education or examination shall be required of that applicant to obtain a license for any line of authority previously held in the prior home state except where the executive director determines otherwise by administrative regulation.
- (4) An applicant for an insurance producer's license who is currently licensed in Kentucky as a consultant as to the same line of authority, or has been so licensed within twelve (12) months next preceding the date of application for the license, unless the previous license was revoked or suspended or continuation thereof refused by the executive director for reasons other than failure to maintain financial responsibility as required by KRS 304.9-330.
- (5) Any applicant for license covering the same line of authority as to which that applicant shall have held a valid license issued in accordance with this subtitle or other applicable Kentucky law which was surrendered, in accordance with KRS 304.2-080 or other applicable law, in order to accept employment with the Office of

Insurance, provided, however, that the applicant shall apply for relicensing within twelve (12) months of the date of termination of his or her employment with the Office of Insurance.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 58, sec. 4, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 273, sec. 20, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 393, sec. 14, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 483, sec. 11, effective July 15, 1998. -- Amended 1988 Ky. Acts ch. 64, sec. 2, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 322, sec. 7, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 123, sec. 3, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 378, sec. 1, effective July 15, 1980. -- Created 1970 Ky. Acts ch. 301, subtit. 9, sec. 17, effective June 18, 1970.

**Legislative Research Commission Note (6/20/2005).** 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.